

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

FILE COPY

IN THE MATTER OF THE LICENSE OF

R. J. BRYANT, M.D.,
RESPONDENT.

FINAL DECISION AND ORDER
(94 MED 365)

The parties to this proceeding for purposes of sec. 227.53, Stats. are:

R. J. Bryant, M.D.
830 Third Avenue West
Durand, WI 54736

Wisconsin Medical Examining Board
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

The Wisconsin Medical Examining Board received a Stipulation submitted by the parties to the above-captioned matter. The Stipulation, a copy of which is attached hereto, was executed by R. J. Bryant, M.D., and by his attorney Webster A. Hart, and by Gilbert C. Lubcke, attorney for the Department of Regulation and Licensing, Division of Enforcement. Based upon the Stipulation of the parties, the Wisconsin Medical Examining Board makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. R. J. Bryant, M.D., 830 Third Avenue West, Durand, Wisconsin 54736, was born on 7/1/10 and has been licensed and currently registered to practice medicine and surgery in the State of Wisconsin since 6/29/39, license #8253.

2. An investigation, 94 MED 365, is pending before the Wisconsin Medical Examining Board. The allegations which are the bases for the investigation are that Dr. Bryant did not perform adequate diagnostic work-ups and did not administer adequate doses of injectible penicillin to three patients to treat diagnosed conditions. Dr. Bryant denies that he did not

perform adequate diagnostic work-ups and that he did not administer adequate doses of injectible penicillin to these patients and contests the validity of these allegations.

3. Dr. Bryant closed his office on 12/31/96, and completely retired from the practice of medicine and surgery in the State of Wisconsin on 3/1/97.

4. Dr. Bryant does not have an active license to practice medicine and surgery in any state other than Wisconsin.

5. Dr. Bryant, in consideration of his retirement from the practice of medicine and surgery in the State of Wisconsin, has tendered the voluntary surrender of his current registration effective on the date of this Final Decision And Order and has agreed that he will not register or attempt to register at any time in the future.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction in this matter pursuant to sec. 448.02, Stats.

2. The Wisconsin Medical Examining Board has the authority to resolve this matter by stipulation without an evidentiary hearing pursuant to sec. 227.44(5), Stats.

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties is approved.

IT IS FURTHER ORDERED that the voluntary surrender of Dr. Bryant's registration effective on the date of this Final Decision And Order is accepted.

IT IS FURTHER ORDERED that Dr. Bryant will not register or attempt to register to practice medicine and surgery in the State of Wisconsin at any time in the future.

IT IS FURTHER ORDERED that Dr. Bryant will not practice or attempt to practice medicine and surgery in the State of Wisconsin when not currently registered.

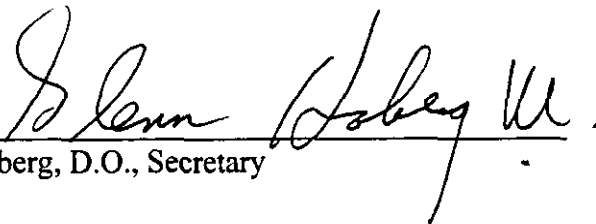
IT IS FURTHER ORDERED that the pending investigation, 94 MED 365, shall be and hereby is closed without further proceedings.

In the event of a violation of this Order, the provisions of sec. 448.02(4), Stats. shall apply.

The rights of a party aggrieved by this Final Decision And Order to petition the Wisconsin Medical Examining Board for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin, this 23 day of April, 1997.

WISCONSIN MEDICAL EXAMINING BOARD


Glen Hoberg, D.O., Secretary

I:\BRYANT\LEGAL\FD&O0303.DOC

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF

R. J. BRYANT, M.D.,
RESPONDENT.

STIPULATION
(94 MED 365)

It is hereby stipulated between R. J. Bryant, M.D., and by his attorney, Webster A. Hart, and Gilbert C. Lubcke, attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. R. J. Bryant, M.D., 830 Third Avenue West, Durand, Wisconsin 54736, was born on 7/1/10 and has been licensed and currently registered to practice medicine and surgery in the State of Wisconsin since 6/29/39, license #8253.

2. An investigation, 94 MED 365, is pending before the Wisconsin Medical Examining Board. The allegations which are the bases for the investigation are that Dr. Bryant did not perform adequate diagnostic work-ups and did not administer adequate doses of injectible penicillin to three patients to treat diagnosed conditions. Dr. Bryant denies that he did not perform adequate diagnostic work-ups and that he did not administer adequate doses of injectible penicillin to these patients and contests the validity of these allegations.

3. Dr. Bryant closed his office on 12/31/96, and completely retired from the practice of medicine and surgery in the State of Wisconsin on 3/1/97.

4. Dr. Bryant does not have an active license to practice medicine and surgery in any state other than Wisconsin.

5. Dr. Bryant, in consideration of his retirement from the practice of medicine and surgery in the State of Wisconsin, voluntarily surrenders his current registration effective on the date of the Final Decision And Order in this matter and agrees that he will not register or attempt to register at any time in the future.

6. The pending investigation, 94 MED 365, will be closed without further proceedings.

7. The Wisconsin Medical Examining Board may enter the Final Decision And Order, a copy of which is attached hereto and incorporated herein.

8. The parties waive all costs of this proceeding.

9. Dr. Bryant understands that by signing this Stipulation, he freely, voluntarily and knowingly waives his rights including the right to a hearing on the allegations against him, the right to confront and cross-examine witnesses against him, the right to call witnesses on his

behalf and to compel their attendance by subpoena, the right to testify on his own behalf, the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision and order, the right to petition for rehearing, the right to judicial review, and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

10. The parties to this Stipulation and the Board Advisor, Sidney E. Johnson, M.D., may appear before the Wisconsin Medical Examining Board in support of this Stipulation. Any appearance by any party pursuant to this paragraph shall be preceded by proper and timely notice to all parties to this proceeding.

If any term of this Stipulation or the incorporated Final Decision And Order is not accepted by the Wisconsin Medical Examining Board, then no term of this Stipulation or the Final Decision And Order will be binding in any manner on any party, and the matter will be returned to the Division of Enforcement for further proceedings.

Dated:

3/10/97


R. J. Bryant, M.D.

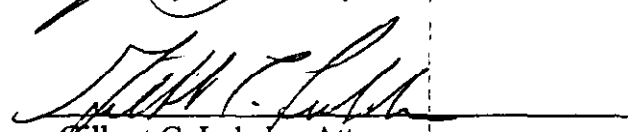
Dated:

3/12/97


Webster A. Hart
Attorney for R. J. Bryant, M.D.

Dated:

3/14/97


Gilbert C. Lubcke, Attorney
Department of Regulation and Licensing
Division of Enforcement

I:\BRYANT\LEGAL\STIP0303.DOC

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING
BEFORE THE MEDICAL EXAMINING BOARD

In the Matter of the License of

R.J. Bryant, M.D.,

AFFIDAVIT OF MAILING

Respondent.

STATE OF WISCONSIN)
)
COUNTY OF DANE)

I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.
2. On April 24, 1997, I served the Final Decision and Order dated April 23, 1997 upon the Respondent R.J. Bryant's attorney by enclosing a true and accurate copy of the above-described document in an envelope properly stamped and addressed to the above-named Respondent's attorney and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is P 201 374 180.

Webster A. Hart, Attorney
116 W. Grand Avenue
P.O. Box 167
Eau Claire WI 54702

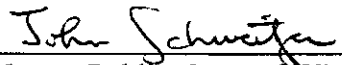


Kate Rotenberg

Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me

this 24th day of April, 1997.



Notary Public, State of Wisconsin
My commission is permanent.

NOTICE OF APPEAL INFORMATION

Notice Of Rights For Rehearing Or Judicial Review. The Times Allowed For Each. And The Identification Of The Party To Be Named As Respondent.

Serve Petition for Rehearing or Judicial Review on:

STATE OF WISCONSIN MEDICAL EXAMINING BOARD

1400 East Washington Avenue

P.O. Box 8935

Madison. WI 53708.

The Date of Mailing this Decision is:

April 24, 1997

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)